

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION)
This document relates to:)
The County of Summit, Ohio, et al. v. Purdue Pharma L.P., et al.)
Case No. 18-op-45090)
and)
The County of Cuyahoga v. Purdue Pharma L.P., et al.)
Case No. 1:18-op-45004)

**MDL No. 2804
Case No. 17-md-2804
Hon. Judge Dan A. Polster**

THE TEVA, CEPHALON AND ACTAVIS GENERIC DEFENDANTS' AFFIRMATIVE DEPOSITION DESIGNATIONS, RESPONSES TO PLAINTIFFS' OBJECTIONS, AND OBJECTIONS TO PLAINTIFFS' COUNTER-DESIGNATIONS

Pursuant to the Civil Jury Trial Order, ECF No. 1598, entered in In re National Prescription Opiate Litigation (MDL 2804) on May 1, 2019 (as amended in Judge Polster's July 29, 2019 order), Teva Pharmaceuticals USA, Inc. ("Teva"), and Cephalon, Inc. ("Cephalon"), and Actavis LLC (collectively, the "Teva Defendants") submit the following Affirmative Deposition Designations, Responses to Plaintiffs' Objections, and Objections to Plaintiffs' Counter-Designations.

The Teva Defendants hereby serve affirmative designations, responses to Plaintiffs' objections, and objections to Plaintiffs' counter-designations for the following witnesses affirmatively designated by the Teva Defendants (*see Exhibit A*):

1. Colleen McGinn
2. David Myers

3. Thomas Napoli

The Teva Defendants further reserve all rights, including all rights to revise or withdraw responsive deposition designations and objections, and the right to adopt and incorporate any responsive and/or counter designations or objections asserted by any other party, including settled and severed parties. The Teva Defendants further reserve the right to revise or withdraw their designations, responses, counters and objections based on the Court's rulings, Plaintiffs' and other individual Defendants' designations of deposition testimony, and evidence introduced at trial. The Teva Defendants also reserve the right to play, in response to deposition testimony played by Plaintiffs, any testimony they, or any other party or former party, designated affirmatively. The Teva Defendants also reserve the right to play any testimony Plaintiffs have designated. By submitting these designations, the Teva Defendants do not waive any objections to the use of testimony and/or exhibits or their subject matter. The inclusion of any testimony and/or exhibit within these designations should not be construed as an admission that such testimony and/or exhibit is admissible if offered by Plaintiffs or another Defendant. The Teva Defendants expressly reserve the right to object to Plaintiffs' attempts to introduce any testimony and/or exhibit included in these designations.

Consistent with prior representation by Plaintiffs' counsel that "objections and colloquy will not be proffered" by Plaintiffs, the Teva Defendants have not objected on a line-by-line basis to objections and colloquy; instead, the Teva Defendants objects to all objections and colloquy as a global matter.

Dated: October 10, 2019

Respectfully Submitted,

By: /s/ Steven A. Reed
Eric W. Sitarchuk
Steven A. Reed
Harvey Bartle
Rebecca J. Hillyer
MORGAN, LEWIS & BOCKIUS LLP
1701 Market St.
Philadelphia, PA 19103-2921
Tel: (215) 963-5000
Fax: (215) 963-5001
eric.sitarchuk@morganlewis.com
steven.reed@morganlewis.com
harvey.bartle@morganlewis.com
rebecca.hillyer@morganlewis.com

Nancy L. Patterson
MORGAN, LEWIS & BOCKIUS LLP
1000 Louisiana Street, Suite 4000
Houston, TX 77002-5005
Tel: (713) 890-5195
Fax: (713) 890-5001
nancy.patterson@morganlewis.com

Wendy West Feinstein
MORGAN, LEWIS & BOCKIUS LLP
One Oxford Centre, Thirty-Second Floor
Pittsburgh, PA 15219-6401
Tel: (412) 560-7455
Fax: (412) 560-7001
wendy.feinstein@morganlewis.com

Brian M. Ercole
MORGAN, LEWIS & BOCKIUS LLP
200 S. Biscayne Blvd., Suite 5300
Miami, FL 33131-2339
Tel: (305) 415-3000
Fax: (305) 415-3001
brian.ercole@morganlewis.com

*Counsel for Cephalon, Inc., Teva
Pharmaceuticals USA, Inc., Actavis LLC, and
appearing specially for Teva Pharmaceutical
Industries Ltd.*

CERTIFICATE OF SERVICE

I, Steven A. Reed, hereby certify that the foregoing document was filed via the Court's ECF system which will send notification of such filing to all counsel of record.

Dated: October 10, 2019

/s/ Steven A. Reed
Steven A. Reed